IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND SEVEN

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA
* * *

WRIT PETITION No.27296 of 2006

Between:

Arigapudi Seshagiri Rao … Petitioner

Versus

The Joint Collector,
Krishna, Machilipatnam & Ors. … Respondents

Counsel for the Petitioner: Sri Kowturu Vinaya kumar

Counsel for the Respondents: GP for Civil Supplies

O R D E R :

Heard Sri Kowturu Vinayakumar, the learned counsel representing the petitioner. The learned Government Pleader for Civil Supplies takes notice on behalf of respondents.

2. The writ petition is filed for issue of a writ of mandamus to declare the inaction of the second respondent in finalizing the disciplinary proceedings initiated by issuing show cause notice, vide RCC.No.494/2005 dated 12-6-2005 and taking of steps to appoint third party as dealer as illegal, arbitrary and violative of principles of natural justice and consequently to direct the respondents to continue the petitioner as Fair Price Shop Dealer of Shop No.1 of Vaivaka (v) of Mudinepali Revenue Mandal, Krishna district and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

3. This court issued Rule Nisi on 20-12-2006 and interim direction in WPMP.No.35059 of 2006 to the effect that *"there shall be interim direction to the respondents to supply the essential commodities to the petitioner and the petitioner shall be allowed to run the fair price shop, provided, the authorization of the petitioner is neither suspended nor cancelled as of now"*.

4. It is stated in the counter-affidavit that the cancellation of authorization was effected on 12-8-2005. It is needless to say that when authorization already had been cancelled, the petitioner is having a remedy either by way of appeal or other wise. Hence, the petitioner is at liberty to pursue the said remedies available to him in law.

5. It is stated copy had not been furnished to the petitioner. It is needless

to say that the petitioner is entitled to a copy to pursue further remedies.

6. With the above observation, the writ petition is disposed of. No costs.

JUSTICE P . S . NARAYANA .

18/09/2007

ISL